

(1) post a written warning of at least 8-1/2 by 11 inches on the exterior of the front door of the rental unit notifying the tenant that the writ has been issued and that the writ will be executed on or after a specific date and time stated in the warning not sooner than 24 hours after the warning is posted; and

(2) when the writ is executed:

(A) deliver possession of the premises to the landlord;

(B) instruct the tenant and all persons claiming under the tenant to leave the premises immediately, and, if the persons fail to comply, physically remove them;

(C) instruct the tenant to remove or to allow the landlord, the landlord's representatives, or other persons acting under the officer's supervision to remove all personal property from the rental unit other than personal property claimed to be owned by the landlord; and

(D) place, or have an authorized person place, the removed personal property outside the rental unit at a nearby location, but not blocking a public sidewalk, passageway, or street and not while it is raining, sleeting, or snowing, *except as provided by Subsection (d-1)*.

(d-1) A municipality may provide, without charge to the landlord or to the owner of personal property removed from a rental unit under Subsection (d), a portable, closed container into which the removed personal property shall be placed by the officer executing the writ or by the authorized person. The municipality may remove the container from the location near the rental unit and dispose of the contents by any lawful means if the owner of the removed personal property does not recover the property from the container within a reasonable time after the time the property is placed in the container.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on April 17, 2015: Yeas 141, Nays 0, 3 present, not voting;
passed by the Senate on May 23, 2015: Yeas 31, Nays 0.

Approved June 9, 2015.

Effective September 1, 2015.

ESTABLISHMENT OF THE PALLIATIVE CARE INTERDISCIPLINARY ADVISORY COUNCIL

CHAPTER 356

H.B. No. 1874

AN ACT

relating to the establishment of the Palliative Care Interdisciplinary Advisory Council.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The legislature finds that:

(1) palliative care is person-centered, family-focused care that provides a patient with relief from the symptoms, pain, and stress of a serious illness;

(2) palliative care is provided by a team of physicians, nurses, and other health care specialists to ensure an additional layer of support to a patient during the treatment of a serious illness;

(3) palliative care is appropriate for a patient of any age and at any stage of a serious illness; and

(4) evidence shows that palliative care can reduce medical costs in addition to helping a patient recover from a serious illness more quickly and easily.

SECTION 2. Subtitle E, Title 2, Health and Safety Code, is amended by adding

Chapter 118 to read as follows:

CHAPTER 118. PALLIATIVE CARE INTERDISCIPLINARY ADVISORY COUNCIL

Sec. 118.001. DEFINITION. In this chapter, "advisory council" means the Palliative Care Interdisciplinary Advisory Council established under this chapter.

Sec. 118.002. ESTABLISHMENT; PURPOSE. The commission shall establish the Palliative Care Interdisciplinary Advisory Council to assess the availability of patient-centered and family-focused palliative care in this state.

Sec. 118.003. APPLICATION OF SUNSET ACT. The advisory council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the advisory council is abolished and this chapter expires September 1, 2019.

Sec. 118.004. MEMBERS. (a) The advisory council is composed of the members appointed by the executive commissioner as provided by this section.

(b) The advisory council must include:

(1) at least five physician members, including two who are board certified in hospice and palliative care and one who is board certified in pain management;

(2) three palliative care practitioner members, including two advanced practice registered nurses who are board certified in hospice and palliative care and one physician assistant who has experience providing palliative care;

(3) four health care professional members, including a nurse, a social worker, a pharmacist, and a spiritual care professional, with:

(A) experience providing palliative care to pediatric, youth, or adult populations;

(B) expertise in palliative care delivery in an inpatient, outpatient, or community setting; or

(C) expertise in interdisciplinary palliative care;

(4) at least three members with experience as an advocate for patients and the patients' family caregivers and who are independent of a hospital or other health care facility, including at least one member who is a representative of an established patient advocacy organization; and

(5) ex officio representatives of the commission or another state agency as the executive commissioner determines appropriate.

(c) Advisory council members serve at the pleasure of the executive commissioner.

Sec. 118.005. TERMS; VACANCY. (a) An advisory council member serves a four-year term.

(b) If a vacancy occurs on the advisory council, a person shall be appointed to fill the vacancy for the unexpired term.

Sec. 118.006. OFFICERS. Advisory council members shall:

(1) elect a chair and a vice chair; and

(2) establish the duties of the chair and the vice chair.

Sec. 118.007. MEETINGS. The executive commissioner shall set a time and place for regular meetings, which must occur at least twice each year.

Sec. 118.008. COMPENSATION AND REIMBURSEMENT. A member of the advisory council may not receive compensation for service on the advisory council but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the advisory council, as provided by the General Appropriations Act.

Sec. 118.009. DUTIES. The advisory council shall consult with and advise the commission on matters related to the establishment, maintenance, operation, and outcome evaluation of the palliative care consumer and professional information and education

program established under Section 118.011.

Sec. 118.010. REPORT. Not later than October 1 of each even-numbered year, the advisory council shall submit a biennial report to the standing committees of the senate and the house of representatives with primary jurisdiction over health matters on:

- (1) the advisory council's assessment of the availability of palliative care in this state for patients in the early stages of serious disease;*
- (2) the advisory council's analysis of barriers to greater access to palliative care; and*
- (3) the advisory council's analysis of the policies, practices, and protocols in this state concerning patients' rights related to palliative care, including:*
 - (A) whether a palliative care team member may introduce palliative care options to a patient without the consent of the patient's attending physician;*
 - (B) the practices and protocols for discussions between a palliative care team member and a patient on life-sustaining treatment or advance directives decisions; and*
 - (C) the practices and protocols on informed consent and disclosure requirements for palliative care services.*

Sec. 118.011. INFORMATION AND EDUCATION PROGRAM. (a) The commission, in consultation with the advisory council, shall establish a statewide palliative care consumer and professional information and education program to ensure that comprehensive and accurate information and education about palliative care are available to the public, health care providers, and health care facilities.

(b) The commission shall make available on its Internet website information and resources regarding palliative care, including:

- (1) links to external resources regarding palliative care;*
- (2) continuing education opportunities for health care providers;*
- (3) information about palliative care delivery in the home, primary, secondary, and tertiary environments; and*
- (4) consumer educational materials regarding palliative care, including hospice care.*

Sec. 118.012. PROTECTIONS. Notwithstanding any other law, the advisory council and the information and education program established under this chapter do not create a cause of action or create a standard of care, obligation, or duty that provides a basis for a cause of action.

SECTION 3. Not later than December 1, 2015, the Health and Human Services Commission shall establish the Palliative Care Interdisciplinary Advisory Council and the executive commissioner of the Health and Human Services Commission shall appoint the advisory council members as required by Chapter 118, Health and Safety Code, as added by this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 6, 2015: Yeas 145, Nays 0, 2 present, not voting; passed by the Senate on May 23, 2015: Yeas 31, Nays 0.

Approved June 9, 2015.

Effective June 9, 2015.